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**REMARKS**

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**OCT 13 2006**

**Summary of Amendments**

[001] All amendments proposed in this first office action response concern the claims. The original claim and its dependent subsections have been canceled and rewritten with entirely new language, now independent Claim 2. New claims 3 through 7 are dependent. The strikethrough format has not been utilized because the changes are extensive. It is in this way that the Examiner's rejection of Claim 1 under § 112 has been overcome by particularly pointing out functional parts of the present invention such as a thermal insulative barrier, a desorption field, and a bolstered center section.

**Review of the Prior Art Rejection Under § 102**

[002] U.S. Patent 6,774,067 to Demott et al. is the prior art cited, which describes a two-ply mat "that is placed on a bar counter to absorb drips and spilled drinks" (p. 4). This invention has an upper absorbent surface that is very thin (0.2-0.5 millimeters), which adheres to a thin rubber bottom surface. Demott does not disclose a thermal insulative barrier, layers of different density that function to promote evaporation, nor a structurally bolstered center section.

[003] The present invention is novel because it is the only pad specifically adapted to cooperate with multi-serving vessels (see p. 4 of the Specification, ¶ 40 for definition). Such vessels have unique characteristics and problems. Multi-serving vessels are in use, producing a constant flow of condensate, for many hours because they are used to serve wine or food at parties. Also, they are bigger, heavier and colder than any other beverage or food container found in prior art discussion.

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[004] Some of the adaptations are unique, such as the bolstered center section, whereas some have been described in the prior art for different uses, such as using fabric layers of different densities to promote evaporation, but they have never before been combined into one apparatus to cooperate with multi-serving vessels. It is the combination of the pad's high-volume absorbency over many hours, ability to support heavy containers with a bolstered center, and its thermal insulative feature that make it novel. These same features distinguish the present invention from the Demott et al. mat.

[005] An earlier prototype of the present invention that failed in testing is very similar to the Demott et al. mat. The earlier prototype was made of a polyester and cotton hand-crocheted doily, which was glued around its edges to a bottom piece of rubber sheeting. This "doily prototype" is similar to the Demott invention in that they are both thin, two-ply mats with a top absorbent layer and a bottom rubber wicking-barrier. A metal wine cooler was placed on the center of the doily prototype that contained five quarts of cubed ice and four bottles of chilled wine. After two hours the furniture surface beneath the doily mat felt cold and the absorbent layer was completely saturated. Four hours later the furniture finish was found to be moisture damaged. This experiment beautifully illustrates why Demott's mat cannot fulfill the same function as the present invention.

#### **Summary of Changes to the Claims Relating to the Rejection Under § 112**

[006] Claim 1 is canceled and rewritten as new Claim 2. Claim 2 describes a pad with layers of an outer-portion size and a mid-portion size (see p. 5 of the Specification, ¶ 29) that are attached with a seam. This part of Claim 2 particularly points out the features that the applicant regards as the invention because these two layer sizes create a bolster structure for weight compensation

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in the pad that is unique.

Subsections a, b, c, and e are substituted for dependent Claims 3 – 7, each of which describe functional and structural parts of the invention. Proposed claims 3 and 4 point out the physical parts of the pad that account for its extreme absorbency – the upper layers of disparate densities, and the action of the desorption field to dry the pad (see p. 4 of the Specification, ¶ 36). Claim 5 describes the wicking-barrier, which functions in tandem with the desorption field. Claim 6 describes the thermal barrier, which functions independently, but is an essential part of the pad to absorb radiant cold from the multi-serving vessel. Claim 7 describes the minimum parameter for the pad's size in relation to the size of the multi-serving vessel. Therefore applicant submits that Claim 2 is allowable over the cited reference and solicits reconsideration and allowance.

#### **Nonapplied References**

[007] The prior art made of record but not relied upon in the Office Action has been reviewed, but these references were not found to be challenging to the novelty of the present invention.

#### **CONCLUSION**

[008] Applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore it is submitted that this application is now in condition for allowance, which action applicant respectfully solicits.

#### **Conditional Request for Constructive Assistance**

[009] Therefore applicant submits that patentable subject matter is clearly present. If the Examiner agrees, but does not believe that the present claims are technically adequate, applicant respectfully requests the Examiner write

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acceptable claims pursuant to M.P.E.P. § 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

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**Certificate of Facsimile Transmission:** I certify that on the date below I will fax this communication to GAU 3632 of the Patent and Trademark Office at the following number: (571) 273-8300.

Signature: Patricia S. Scott 13 October, 2006